

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

FILED BY 8 D.C.  
05 DEC 28 PM 2:34  
THOMAS A. GOULD  
CLERK, U.S. DISTRICT COURT  
W.D. OF TN, JACKSON

UNITED STATES OF AMERICA,

Plaintiff,

VS.

No. 04-10049-T

EDDIE DAVIDSON,

Defendant.

ORDER CONTINUING TRIAL AND EXCLUDING DELAY

The United States of America, by and through counsel, has moved for a continuance of the trial on January 4, 2006, because of the unavailability of an essential witness. For good cause shown, that motion is hereby granted. Therefore, the trial of this action is hereby continued and has been reset for February 21, 2006, at 9:30 a.m.

The court finds that interest of the government in a continuance because of the unavailability of a material witness outweighs the best interests of the public and the defendant in a speedy trial; therefore, the ends of justice will be served by delaying this trial in order to have the material witness available. Accordingly, the trial is continued from January 4, 2006, to February 21, 2006, at 9:30 A.M. The resulting period of delay, from January 4, 2006, to February 21, 2006, is excluded pursuant to 18 U.S.C. § 3161(h). A new report date has been scheduled for February 8, 2006, at 8:45 a.m.

IT IS SO ORDERED.

James D. Todd  
JAMES D. TODD  
UNITED STATES DISTRICT JUDGE

28 December 2005  
DATE



## Notice of Distribution

This notice confirms a copy of the document docketed as number 45 in case 1:04-CR-10049 was distributed by fax, mail, or direct printing on December 30, 2005 to the parties listed.

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Honorable James Todd  
US DISTRICT COURT